

MAR 06 2008

PTO/SB/64 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1986, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>		Docket Number (Optional) SCH-051139 (fka 2002-016)
--	--	---

First named Inventor: Edwards

Application No.: 10/800,332

Art Unit: 3751

Filed: 3/12/2004

Examiner: Douglas, Stephen O.

Title: Apparatus and Method for Aseptic Serial Filling of Containers

Attention: Office of Petitions  
**Mail Stop Petition**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ 1500.00 (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of \_\_\_\_\_ (identify type of reply):

has been filed previously on \_\_\_\_\_  
 is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1700.  
 has been paid previously on \_\_\_\_\_  
 is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-8199 and select option 2.

MAR 06 2008

PTO/SB/64 (08-06)

Approved for use through 03/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 3. Terminal disclaimer with disclaimer fee

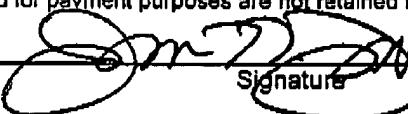
Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

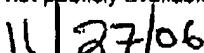
## 4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

## WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature



Date

Jovan N. Jovanovic

Typed or printed name

40039

Registration Number, if applicable

Watson IP Group, PLC, 3133 Highland Drive, Suite 200

Address

816 856 1621

Telephone Number

Hudsonville, MI 49426

Address

Enclosures:  Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

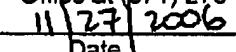
Other: \_\_\_\_\_

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.



Signature

Jovan N. Jovanovic

Typed or printed name of person signing certificate

## PART B - FEE(S) TRANSMITTAL

RECEIVED  
CENTRAL FAX CENTER  
MAR 06 2008

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
**or Fax** (571)-273-2885

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

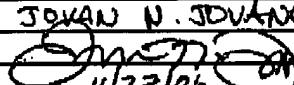
CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

56973 7590 03/27/2006

THE WATSON INTELLECTUAL PROPERTY GROUP, PLC  
3133 HIGHLAND DRIVE  
SUITE 200  
HUDSONVILLE, MI 49426

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**  
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

JOVAN N. JOVANOVIC	(Depositor's name)
	(Signature)
11/27/06	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,332	03/12/2004	Simon Peter Edwards	2002-016	9013

TITLE OF INVENTION: APPARATUS AND METHOD FOR ASEPTIC SERIAL FILLING OF CONTAINERS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
Nonprovisional	NO	\$1400	\$300	\$1700	06/27/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
DOUGLAS, STEVEN O	3751	141-114000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  
 Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list  
 (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

SCHOLLE CORPORATION

IRVINE, CALIFORNIA

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

4a. The following fee(s) are enclosed:

Issue Fee  
 Publication Fee (No small entity discount permitted)  
 Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature 

Date 11/27/06

Typed or printed name JOVAN N. JOVANOVIC

Registration No. 40,039

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

November 27, 2006

The United States Patent and Trademark Office mailroom stamp hereon acknowledges receipt of the following:

Petition;  
Issue Fee Documentation;  
PTO-2038 for \$3200.00; and  
Certificates of Mailing.

In re Application of :Edwards  
Examiner :Douglas, Stephen O.  
Serial No. :10/800,332  
Filed :March 12, 2004  
Attorney Docket No. :SCH-051139 (f/k/a 2002-016)  
Title :APPARATUS AND METHOD FOR ASEPTIC SERIAL  
FILLING OF CONTAINERS

SCH-051139

November 27, 2006

The United States Patent and Trademark Office mailroom stamp hereon acknowledges receipt of the following:

Petition;  
Issue Fee Documentation;  
PTO-2038 for \$3200.00; and  
Certificates of Mailing.

In re Application of :Edwards  
Examiner :Douglas, Stephen O.  
Serial No. :10/800,332  
Filed :March 12, 2004  
Attorney Docket No. :SCH-051139 (f/k/a 2002-016)  
Title :APPARATUS AND METHOD FOR ASEPTIC SERIAL  
FILLING OF CONTAINERS

SCH-051139



RECEIVED DEC 08 2006

MAR 06 2008

## The WATSON INTELLECTUAL PROPERTY GROUP plc

3133 Highland Drive, Suite 200  
 Hudsonville, Michigan 49426  
 Telephone (616) 797-1000  
 Facsimile (866) 369-7391

United States and International  
 Intellectual Property Law

CHICAGO OFFICE  
 180 North LaSalle Street, Suite 2108  
 Chicago, Illinois 60601  
 Telephone (312) 602-3366

## FACSIMILE COVER SHEET

DATE: MARCH 6, 2008

NUMBER OF PAGES (INCLUDING  
THIS TRANSMITTAL COVER SHEET): 7

YOUR REFERENCE: 10/800,332

OUR REFERENCE: SCH-051139

TO: MAILSTOP PETITIONS

TELEPHONE NUMBER:

FACSIMILE NUMBER: 1 571 273 8300

FROM: JOVAN N. JOVANOVIC

DIRECT LINE: 616 797 1000 x 111

## MESSAGE:

Attached is a petition filed on November 27, 2006. The credit card was charged. Additionally, on the last page is the return postcard evidencing receipt of the petition by the USPTO.

To this day, the petition has not been acted upon and is not found in the USPTO online records for this application number. Please review and contact me to discuss.

A confirmation copy of the transmitted document will:

Not be sent. This will be the only form of delivery of the transmitted document.  
 Be sent via First Class/Air Mail.  
 Be sent via Overnight Courier

This facsimile is intended only for receipt and use by the identified addressee and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is neither the intended recipient nor the agent responsible for delivering this transmittal to the intended recipient, you are hereby notified that any use, distribution or copying of this transmittal is strictly prohibited. If you have received this transmittal in error, please notify us immediately by telephone and return the original transmittal to the above address by mail. Thank you.